

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Hearing Program
Petition No. 1425
Thursday, January 7, 2021
2:00 p.m.
Zoom Remote Public Hearing

- I. Opening by Council
 - A. Statement read by Presiding Officer.
 - B. Administrative Notice taken by Council

FEDERAL

- 1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, EMF, Electric and Magnetic Fields Associated with the Use of Electric Power, June 2002, available at http://www.niehs.nih.gov/health/materials/electric and magnetic fields associated with the use of electric power questions and answers english 508.pdf
- 2. NATIONAL RESEARCH COUNCIL, *Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992*, National Academy of Sciences, 1999, *available at* http://books.nap.edu/openbook.php?isbn=0309065437
- 3. UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC 70/7460-1L*, December 4, 2015, as amended, *available at* https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf
- 4. Presidential Proclamation No. 8460, Critical Infrastructure Month, 74 Fed. Reg. 234, December 8, 2009, *available at* http://www.presidency.ucsb.edu/ws/index.php?pid=86954
- 5. Presidential Executive Order No. 13636, Improving Critical Infrastructure Cybersecurity, 78 Fed. Reg. 11739, February 19, 2013, *available at* http://www.archives.gov/federal-register/executive-orders/2013.html
- 6. UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, *National Register of Historic Places*, July 2010, *available at* https://www.nps.gov/subjects/nationalregister/index.htm
- 7. UNITED STATES DEPARTMENT OF ENERGY, FEDERAL ENERGY REGULATORY COMMISSION AND THE NORTH AMERICAN ELECTRIC RELIABILITY CORPORATION, Report on Transmission Facility Outages During the Northeast Snowstorm of October 29-30, 2011 Causes and Recommendations, available at http://ferc.gov/legal/staff-reports/05-31-2012-ne-outage-report.pdf
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- 12. UNITED STATES FISH AND WILDLIFE SERVICE, Final 4(d) Rule for the Northern Long-eared Bat, January 14, 2016, *available at* https://www.fws.gov/Midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf
- 13. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, Office of Solid Waste and Emergency Response, *Handbook on Siting Renewable Energy Projects While Addressing Environmental Issues*, *available at* https://www.epa.gov/sites/production/files/2015-04/documents/handbook_siting_repowering_projects.pdf
- 14. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND NATIONAL RENEWABLE ENERGY LABORATORY, Best Practices for Siting Solar Photovoltaics on Municipal Solid Waste Landfills, February 2013, available at https://www.epa.gov/sites/production/files/2015-03/documents/best_practices_siting_solar_photovoltaic_final.pdf
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- 19. UNITED STATES FEDERAL AVIATION ADMINISTRATION, Interim Policy, FAA Review of Solar Energy System Projects on Federally Obligated Airports (inclusive of Solar Glare Hazard Analysis Tool), October 23, 2013, available at https://www.federalregister.gov/documents/2013/10/23/2013-24729/interim-policy-faa-review-of-solar-energy-system-projects-on-federally-obligated-airports
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REGIONAL

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- 37. <u>ISO-NEW ENGLAND, INC., Interconnection Request Queue, available at https://www.iso-ne.com/system-planning/transmission-planning/interconnection-request-queue</u>
- 38. ISO-NEW ENGLAND, INC., *Final Auction Results Confirm Sufficient Capacity Resources for 2022-2023*, February 28, 2019, *available at* https://www.iso-ne.com/static-assets/documents/2019/02/20190228_pr_fca13_final_results.pdf
- 39. <u>ISO-New England, Inc., FCA Results Filing in FERC Docket No. ER19-</u> -000, February 28, 2019, available at https://www.iso-ne.com/static-assets/documents/2019/02/fca 13 results filing.pdf
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Department of Public Health

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Department of Transportation

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Other State Agencies

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- 75. Connecticut Energy Marketers Association v. Dept. of Energy and Environmental Protection, 324 Conn. 362 (2016).
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MAPS

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- 95. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, Connecticut Official State Tourism Map.
- 96. MAIL-A-MAP STREET MAP, Hamden, available at http://mailamap.com/street_maps
- 97. UNITED STATES GEOLOGICAL SURVEY, topoview (Mt. Carmel, CT Quadrangle, 2018) available *at* https://ngmdb.usgs.gov/topoview/viewer/#12/41.5682/-72.2229

D. State Agency Comments

- 1. Department of Public Health Comments, dated September 8, 2020
- 2. Department of Transportation Comments, dated September 17, 2020
- 3. Council on Environmental Quality Comments, dated September 18, 2020
- 4. Department of Energy and Environmental Protection Comments, dated November 12, 2020

E. Municipal Comments

- 1. Town of Hamden Request to Extend Public Comment Period and Request for Public Hearing and Site Visit, August 14, 2020
- 2. Town of Hamden Inland Wetlands Commission Comments, dated August 28, 2020
- 3. Town of Hamden Planning & Zoning Department Comments, dated September 9, 2020
- 4. Town of Hamden Tree Commission Comments, dated October 2, 2020

F. Public Official Comments

- 1. State Representative Josh Elliot Comments, dated August 20, 2020
- 2. State Senator Martin M. Looney and State Representative Josh Elliot Comments, dated December 16, 2020

II. Appearance by Petitioner

Gaylord Mountain Solar Project 2019, LLC (GMS)

Representative: Kenneth C. Baldwin, Esq. Robinson & Cole LLP

A. Administrative Notice.

1.

B. Exhibits for Identification.

- 1. Petition for a Declaratory filed by Gaylord Mountain Solar Project 2019, LLC, received August 7, 2020, and attachments.
- 2. Petitioner's Responses to Interrogatories, Set One, dated October 20, 2020
- 3. Petitioner's Sign Posting Affidavit, dated November 3, 2020
- 4. Pre-Filed Testimony of John Bamman, dated November 10, 2020
- 5. Pre-Filed Testimony of Bradley J. Parsons, P.E., dated November 10, 2020
- 6. Resume of Amol Kapur, Senior Sales Manager, DSD Renewable LLC
- 7. Resume of Jenny R. Nicolas, Development Project Manager, DSD Renewable LLC
- 8. Resume of Matthew S. Gabor, P.E., Senior Project Engineer, DSD Renewable LLC
- 9. Stormwater Management Report, received November 17, 2020
- 10. Petitioner's Late-filed Exhibits, dated December 8, 2020
- 11. Petitioner's Late-filed Exhibits, dated December 30, 2020
- 12. Petitioner's Supplemental Late-filed Exhibit, dated January 5, 2021

C. Swear Witnesses

- 1. John Bamman, Senior Project Manager, Gaylord Mountain Solar 2019, LLC
- 2. Amol Kapur, Senior Sales Manager, Gaylord Mountain Solar 2019, LLC
- 3. Jenny R. Nicolas, Development Project Manager, Gaylord Mountain Solar 2019, LLC
- 4. Bradley J. Parsons, P.E., Project Engineer, All Points Technology Corp. P.C.
- 5. Michael Libertine, LEP, Director of Siting and Permitting, All Points Technology Corp. P.C.
- 6. Matthew Gustafson, Forester, Registered Soil Scientist, All Points Technology Corp. P.C.
- 7. Matthew S. Gabor, P.E., Senior Project Engineer, Gaylord Mountain Solar 2019, LLC
- D. Full Exhibits Verification of exhibits by witnesses and admission by the Council.
- E. Cross Examination.
 - 1. Council
 - 2. South Central CT Regional Water Authority (RWA)
 - 3. Shawn O'Sullivan

Pg. 11

III. Appearance by Intervenor: South Central Connecticut Regional Water Authority (RWA)

Representative: Bruce L. McDermott, Esq. Murtha Cullina, LLP

A. Administrative Notice.

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- Exhibits for Identification. B.
 - 1. RWA Motion to Intervene, dated September 21, 2020
 - 2. Pre-Filed Testimony of John Hudak, dated November 9, 2020
 - C. Swear Witnesses
 - 1. John Hudak, Environmental Planning Manager, South Central CT Regional Water Authority
 - D. Full Exhibits Verification of exhibits by witnesses and admission by the Council.
 - E. Cross Examination.
 - 1. Council
 - 2. Petitioner
 - 3. Shawn O'Sullivan
- IV. Appearance by Intervenor: Shawn O'Sullivan
 - A. Administrative Notice.
 - B. Exhibits for Identification.
 - 1. O'Sullivan's Request for Intervenor Status, dated December 4, 2020
 - 2. O'Sullivan's Pre-filed Testimony of Sigrun N. Gadwa, dated November 16, 2020
 - 3. O'Sullivan's Pre-filed Testimony, dated November 20, 2020
 - 4. O'Sullivan's Pre-filed Exhibits, dated December 15, 2020
 - a. Excerpts from the September 10, 2020 Draft Report for Public Comment by the Forests Sub-Group of the Working and Natural Lands Working Group, Governor's Council on Climate Change
 - b. Aerial Video, Gaylord Mountain Road
 - c. Driveway Drainage Video, 5 Hunting Ridge
 - 5. O'Sullivan's Supplemental Pre-Filed Exhibit, Water Runoff at 360 Gaylord Mountain Road Video, received December 30, 2020

C. Swear Witnesses

- 1. Sigrun N. Gadwa, Plant Ecologist, Professional Wetland Scientist, Registered Soil Scientist, Carya Ecological Services, LLC
- D. Full Exhibits Verification of exhibits by witnesses and admission by the Council.
- E. Cross Examination.
 - 1. Council
 - 2. Petitioner
 - 3. South Central CT Regional Water Authority (RWA)
- V. Closing by Connecticut Siting Council.